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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/468,470	12/21/1999	GERALD L. TAYLOR	E-924	3675

919 7590 08/01/2005

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EXAMINER

WOO, RICHARD SUKYOON

ART UNIT	PAPER NUMBER
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3639

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/468,470

Applicant(s)

TAYLOR, GERALD L.

Examiner

Richard Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-14 is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Response to Arguments

1) In view of the Appeal Brief filed on July 15, 2003, PROSECUTION IS HEREBY REOPENED. The non-final office action is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2) The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3) Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brust et al. (US 5,673,193) in view of Applicant's admitted prior art.

As for Claim 1, Brust et al. discloses a method comprising the steps of:

creating an entry point lookup file containing a plurality of identification codes, each of which identifies one eligible USPS BMC postal facility so as to allow the mailer

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to use one of the identification codes to identify the postal entry point where the mailer drops off the mail pieces for mailing (see col. 2, lines 34-37; col. 5, lines 45-54, 60-66);

creating a drop ship index file containing a plurality of ZIP codes and carrier routes associated with each USPS BMC postal facility (see col. 2, lines 28-34); and

checking the mailing address of each mail piece in order to verify whether the mailing address is contained in the plurality of local ZIP codes and carrier routes associated with the postal entry point (see col. 2, lines 37-43).

However, Brust et al. does not expressly disclose the method including:

creating an eligible entry Destination Delivery Unit site lookup file for DDU USPS postal facility instead of Bulk Mailing Centers (BMC).

Applicant's admitted prior art teaches for postal discount based on Destination Delivery Unit rate, in which the mailer must determine the eligible USPS entry postal facilities and their ZIP codes and identify all the local ZIP codes of the delivery address being served by each eligible USPS entry postal facility.

Since both Brust et al. and Applicant's admitted prior art are from the same field of endeavor of accessing to, information provided by the USPS regarding a correlation between each and every Zip code and the preferred drop off postal facility (DDU site or BMC) that will generally be the closest and most economical drop center, the purpose

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disclosed by the applicant's admitted prior art would have been well recognized in the pertinent field of Brust et al..

Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to replace the entry point lookup file containing a plurality of identification codes, each of which identifies one eligible USPS BMC postal facility with an eligible entry DDU site lookup file and drop off the mail pieces at the DDU site instead of BMC, as taught by Applicant's admitted prior art, for the purpose of providing the mailer with the most economical drop center that is much closer to the mailer than BMC so as to optimize maximum efficiency.

As for Claim 2, the modified method of Brust et al. further discloses the method, wherein the entry point lookup file is created from a USPS Drop Ship Address file which contains addresses of eligible USPS postal facilities (see the background of DDU rate or discount and USPS Drop Ship Address file in Applicant's admitted prior art).

As for Claim 3, the modified method of Brust et al. further discloses the method, wherein the drop ship index file is created from a USPS Drop Ship Zip carrier Route file which contains local ZIP codes and carrier routes associated with each eligible postal facility (see Id.).

As for Claim 4, the modified method of Brust et al. further discloses the method, wherein the identification code is a nine-digit code (utilizing a nine-digit code is old and well known in the arts and this is affirmed by the applicant's admitted prior art).

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As for Claim 5, the modified method of Brust et al. further discloses the method, wherein the identification code is ZIP+4 code for an eligible USPS postal facility (see Id.).

As for Claim 6, the modified method of Brust et al. further discloses the method, wherein the identification code is a nine-digit code (utilizing a nine-digit code is old and well known in the arts and this is affirmed by the applicant's admitted prior art).

As for Claim 7, the modified method of Brust et al. further discloses the method, wherein the code is equivalent to a Zip code for an eligible postal facility (see col. 5, lines 49-51 for facility appropriate for the Zip code for that mail piece).

As for Claim 8, the modified method of Brust et al. further discloses the method, wherein each eligible USPS postal facility has an address including a state, a city and a street, the identification codes in the entry point lookup file being sorted according to the address of the eligible USPS postal facilities by state, city and street (every postal facility **MUST** have an address including a state, a city and a street and Brust et al. discloses the file being sorted according to the appropriate BMC by state, city and street and this would be further applied to the DDU site of applicant's admitted prior art).

As for Claim 9, Brust et al. discloses a process comprising the steps of:
creating an entry point lookup file containing a plurality of identification codes, each of which identifies one eligible USPS BMC postal facility so as to allow the mailer to use one of the identification codes to identify the postal entry point where the mailer drops off the mail pieces for mailing (see col. 2, lines 34-37; col. 5, lines 45-54, 60-66);

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creating a drop ship index file containing a plurality of ZIP codes and carrier routes associated with each USPS BMC postal facility (see col. 2, lines 28-34); and
sorting the plurality of identification codes according to the state, the city and the street of the postal facilities (see col. 5, lines 60-66).

However, Brust et al. does not expressly disclose the process including:
providing a USPS Drop Ship Address File, which contains a plurality of addresses of the eligible USPS postal facilities; and
creating an eligible entry Destination Delivery Unit site lookup file for DDU USPS postal facility instead of Bulk Mailing Centers (BMC).

Applicant's admitted prior art teaches for postal discount based on Destination Delivery Unit rate, in which the mailer must determine the eligible USPS entry postal facilities and their ZIP codes and identify all the local ZIP codes of the delivery address being served by each eligible USPS entry postal facility.

Since both Brust et al. and Applicant's admitted prior art are from the same field of endeavor of accessing to, information provided by the USPS regarding a correlation between each and every Zip code and the preferred drop off postal facility (DDU site or BMC) that will generally be the closest and most economical drop center, the purpose disclosed by the applicant's admitted prior art would have been well recognized in the pertinent field of Brust et al..

Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to replace the entry point lookup file containing a plurality of identification codes, each of which identifies one eligible USPS BMC postal facility with an eligible entry DDU site lookup file and drop off the mail pieces at the DDU site instead of BMC, as taught by Applicant's admitted prior art, for the purpose of providing the mailer with the most economical drop center that is much closer to the mailer than BMC so as to optimize maximum efficiency.

As for Claim 10, the modified process of Brust et al. further discloses the process, wherein the identification codes are created based on the ZIP codes of the eligible USPS postal facilities (see Supra columns of Brust et al. for identifying the appropriate postal facilities, BMC, based on the Zip codes).

As for Claim 11, the modified process of Brust et al. further discloses the process including the checking the mailing address of each mail piece in order to verify whether the mailing address is contained in the plurality of local ZIP codes and carrier routes associated with the postal entry point (see col. 2, lines 37-43).

As for Claim 12, the modified process of Brust et al. further discloses the process, wherein the identification code is a nine-digit code (utilizing a nine-digit code is old and well known in the arts and this is affirmed by the applicant's admitted prior art).

Allowable Subject Matter

- 4) Claims 13 and 14 are allowed.

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Conclusion

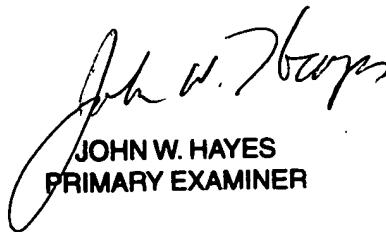
5) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Woo whose telephone number is 571-272-6813. The examiner can normally be reached on Monday-Friday from 8:30 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Richard Woo
Patent Examiner
Art Unit 3639
July 25, 2005



JOHN W. HAYES
PRIMARY EXAMINER